

CITY COUNCIL
CITY OF WICHITA
K A N S A S

City Council Meeting
October 12, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. James Marlett, Presbytery of Southern Kansas
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
- Distinguished Service Citation
- Wichita's Promise - Youth Community Service Awards

PUBLIC AGENDA

- 1. Communities in Schools - Judy Frick.

UNFINISHED BUSINESS

- 2. Sanitary Sewer to Serve Two Unplatted Tracts North of Central, West of 119th Street West. (District V)

(Continued from September 21, 1999)

RECOMMENDED ACTION: Approve the project; adopt the Resolution; and
authorize the Staff Screening and Selection Committee
to select a design engineer.

3. Sale of Surplus Property Located at the Northwest Corner of Hillside and 13th Street North. (District I)

(Continued from September 28, 1999)

RECOMMENDED ACTION: Approve the sale and Contract; and authorize the necessary signatures.

NEW BUSINESS

4. Petition for Water Distribution System to Serve an Area Between 63rd Street South and 57th Street South, West of the Riverside Drainage Ditch. (District III)

A Petition has been signed by 218 of 332 (65.7 percent) owners of 58 percent of the improvement district area. Residents report that the groundwater is of very low quality.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution; and authorize the Staff Screening and Selection Committee to select a design engineer.

5. Public Hearing and Tax Exemption Request - Graphics Systems, Inc. (District I)

Graphics Systems, Inc., is planning an expansion of existing facilities, including construction of additional manufacturing space and the purchase of new equipment, and is requesting approval of a 100 Percent Economic Development Tax Exemption for a five-plus five-year term.

RECOMMENDED ACTION: Close the public hearing; determine the appropriate tax exemption; and approve first reading of the Ordinance.

6. Request for Letter of Intent for Industrial Revenue Bonds - Royal Caribbean Cruises, Ltd. (District IV)

Royal Caribbean is requesting a one-year Letter of Intent in an amount not-to-exceed \$18.425 million and a 100 percent five-plus-five-year property tax exemption, in conjunction with current expansion.

RECOMMENDED ACTION: Approve the Letter of Intent; and authorize the necessary signatures.

(10:45 a.m.)

7. Citizens Management Committee Presentation - Cheney Watershed (Status Report).

RECOMMENDED ACTION: No action necessary.

8. Presentation and Sponsorship of Community Website.

City sponsorship would help establish a community website to community groups and organizations, and provide opportunity to share information, ideas, events, and actions.

RECOMMENDED ACTION: Approve City sponsorship; and authorize payment of the fee.

9. Virtual Ribbon Cutting - Web Site.

(11:00 a.m.)

10. Repair or Removal of Dangerous and Unsafe Structures.

Hearings will be conducted on the following properties:

<u>Property Address</u>	<u>District</u>	<u>Property Address</u>	<u>District</u>
1563 North Belmont	I	1029 West 51st North	VI
4302-04 East Boston	III	2725 South Vassar	III
3321 East Roseberry	III	3357 East Roseberry	III
3808 East Roseberry	III		

RECOMMENDED ACTION: Close the public hearing; and adopt the Resolutions.

11. Piatt Manor - 2104 North Piatt.

The City has been requested to defray the cost of delinquent taxes to save the property for a planned residential housing development.

RECOMMENDED ACTION: Authorize waiver of special assessments and payment of the outstanding taxes.

(7:00 p.m.)

12. A 99-24 - The City of Wichita Seeks the Annexation of Property Located South and West of 45th Street North and Webb Road.

On August 10, 1999, the City Council adopted a Resolution that established October 12, 1999, at 7:00 p.m. at the HeartSprings Conference Center, 8700 East 29th Street North, as the time and place for a public hearing to consider this annexation.

RECOMMENDED ACTION: Close the public hearing; approve the annexation; and approve first reading of the Ordinance.

CITY COUNCIL AGENDA

13. Reports from Council Members on Task Force Activities.

14. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

15. Report of the Board of Bids and Contracts Dated October 11, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts;
and authorize the necessary signatures.

16. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Maria E. Maskrid	El Matador Lounge	2033 South Broadway
Ruben Hernandez Jr.	Un Ratito Lounge	3537 North Broadway

		<u>(Consumption off Premises)</u>
W. Kent Laughman	Falley's Inc. dba Food 4 Less #18	6727 West Central
W. Kent Laughman	Falley's Inc. dba Food 4 Less #23	2141 South Meridian
W. Kent Laughman	Falley's Inc. dba Food 4 Less #25	2021 North Amidon
W. Kent Laughman	Falley's Inc. dba Food 4 Less #37	3020 East Douglas
W. Kent Laughman	Falley's Inc. dba Food 4 Less #38	640 North West Street
W. Kent Laughman	Falley's Inc. dba Food 4 Less #40	1212 South Woodlawn
W. Kent Laughman	Falley's Inc. dba Food 4 Less #41	2445 South Seneca

<u>New Establishment</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Darren Woodard	Antarcitca*	2034 North Amidon
Robert Potter	Neat-O Burrito Inc.*	3415 East Harry Street

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

17. Plans and Specifications:

- a. 1999 water main replacement program, Group 1; Broadway from Murdock to 11th Street St. Francis from 13th to 17th; St. Francis at St. Francis Hospital; McCormick from St. Clair to Glenn. (448-89418 /636089/779169) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District IV & VI)
- b. 1999 sanitary sewer reconstruction program, Phase VI. (468-83038/620270/669395) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (Districts I, III, IV, V, and VI)
- c. 1999 sanitary sewer reconstruction program, Phase VII. (468-83039/620273/669398) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (Districts IV, V, and VI)
- d. 27th Street South from the east line of Custer to the west line of St. Paul to serve Wichita Builders Third and Builders Fourteenth Additions - south of Pawnee, west of Meridian. (472-83099/765591/490702) Traffic to be maintained during construction. City Council approval date: 6/8/99. (District IV)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., October 22, 1999.

18. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

19. Preliminary Estimates:

- a. Hoover, from the south line of First Street to the north line of Second Street to serve Westbreeze Addition and Unplatted Tracts - south of Central, east of I-235. (472-83066/765566/490677) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 2/2/99. (District IV) - \$115,000.00
- b. Second Street, from the east line of Hoover to the west line of Flora, and from the east line of Flora to the west line of Elder to serve Fruitvale Park and Westbreeze Additions - south of Central, east of Hoover. (472-82978/765214/490623) Traffic to be maintained during construction. City Council approval date: 8/4/98. (District IV) - \$123,000.00
- c. Third Street, from the west line of Florence to the west line of West Street to serve Masterbilt, McPherson, Loyd, and Parkwilde Additions - south of Central, west of West Street. (472-82979 /765222/490624) Traffic to be maintained during construction. City Council approval date: 8/4/98. (District IV) - \$100,000.00

Item #19 Continued

- d. Maywood from the east line of Seneca to 112 feet east of Southwind to serve South Seneca Gardens Third Addition - south of 47th Street South, east of Seneca. (472-82995/765388/490640) Traffic to be maintained through construction. City Council approval date: 9/15/98. (District IV) - \$240,800.00
- e. Lockwood from the east line of Seneca to the west line of Southwind to serve South Seneca Gardens Third Addition - south of 47th Street South, east of Seneca. (472-82980/765206/490622) Traffic to be maintained through construction. City Council approval date: 8/4/98. (District IV) - \$255,200.00
- f. 13th Street North from approximately 600 feet east of Rock Road to the east City limits. (472-83028 /706770/208231) Traffic to be maintained during construction using flagpersons and barricades, except that the street may be closed completely for one 45-day period. City Council approval date: 4/20/99. (District II) - \$1,065,000.00
- g. Water line adjustments in connection with paving Central, 127th East to 143rd East - east of 127th Street East at Central. (448-89369/635603/769663) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (County) - \$169,720.80
- h. Parkdale from the southerly line of Lot 40, Block 4, to the north line of Lot 20, Block 4; Central Park from the east line of Lot 1, Block 8, to the west line of Lot 16, Block 4; Parkdale from the north line of Central Park to the north line of Lot 1, Block 9; Ryan from the east line of Parkdale to the east line of Lot 9, Block 8; and Parkdale Courts (2) serving Lots 20 through 40, Block 4 to serve Evergreen Addition - west of Maize Road, north of 21st Street. (472-83133/765596/490707) Does not affect existing traffic. City Council approval date: 8/10/99. (District V) - \$306,000.00
- i. Pepper Ridge from the south line of Lot 12, Block 5, to the north line of Lot 23, Block 5; and Forest Park, from the east line of Pepper Ridge to the west line of Lot 1, Block 3 to serve Forest Lakes West Addition - north of 29th Street North, east of Tyler. (472-82871/765587/490698) Does not affect existing traffic. City Council approval date: 9/23/97. (District II) - \$220,000.00
- j. Lateral 429, Southwest Interceptor Sewer to serve Ridge Port North Addition - south of 37th Street North, east of Ridge Road. (468-82987/743809/480497) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 5/25/99. (District V) - \$403,000.00
- k. Lateral 62, Main 9, Sanitary Sewer No. 23 to serve Willowbend North Estates Addition - west of Rock, south of 45th Street North. (468-82998/743808/480496) Does not affect existing traffic. City Council approval date: 8/24/99. (District II) - \$124,000.00
- l. Water distribution system to serve The Legacy Addition - west of Meridian, south of MacArthur - (448-89392/734931/470601) Does not affect existing traffic. City Council approval date: 6/22/99.(District IV) - \$50,000.00
- m. Water distribution system to serve Ridge Port North Addition - south of 37th Street North, east of Ridge Road. (448-89389/734937/470607) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 5/25/99. (District V) - \$312,000.00
- n. Water distribution system to serve Willowbend North Estates Addition - west of Rock, south of 45th Street North. (448-89393/734935/470605) Does not affect existing traffic. City Council approval date: 8/24/99. (District II) - \$105,000.00

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- o. (Amended) Accel/decel lane on 21st Street and a water system to serve Lot 11, Block 2, Horseshoe Lake Addition - north of 21st, east of Ridge. (472-83102/765579/490690) City Council approval date: 4/27/99. (District V) Amended estimate - \$78,624.00

RECOMMENDED ACTION: Approve and file.

20. Statement of Cost.

- a. Amended Statement of Cost for improving Lateral 10, Main 17, Southwest Interceptor Sewer in Forest Lakes Addition (north of 29th Street North, west of Ridge Road). Total Cost - \$48,243.00 (plus idle fund interest - \$1,690; plus temporary note financing - \$0). Financing to be issued at this time - \$49,933.00. (743790/468-82308/480-478).

RECOMMENDED ACTION: Receive and file.

21. Deeds and Easements:

- a. Sanitary sewer easement dated August 25, 1999, from Newman University, Inc., a Kansas corporation, for a tract of land in the SE 1/4 of Sec. 25, Twp. 27-S, R-1-W for the 6th P.M., Sedgwick County, Kansas. (Private project - index code 607861) No cost to City.
- b. Sanitary sewer easement dated September 7, 1999, from RRGNL, L.L.C., a Kansas limited liability company, for a tract of land in the SE 1/4 of Sec. 33, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas. (Private project - index code 607861) No cost to City.
- c. Utility easement dated September 28, 1999, from Regency Park of Wichita, L.L.C., for a tract of land in the NE 1/4 of Sec. 4, Twp. 27-S, R-2-E of the 6th P.M., Sedgwick County, Kansas - 29th Street Northeast Soccer Fields. (Index code 765588) No cost to City.
- d. Utility easement (to be dated), from City of Wichita, a municipal corporation, for a tracts of land in the SE Quarter of Sec. 33, Twp. 26-S, R-2-E of the Sixth P.M., Sedgwick County, Kansas and the NE 1/4 of Sec. 4, Twp. 27-S, R-2-E of the Sixth P.M., Sedgwick County, Kansas- 29th Street/northeast soccer fields. (Index code 765588) No cost to City.
- e. Utility easement dated August 5, 1999, from Builders Development, Inc., for a tract of land in the Legacy Addition (Lat. 431, SWI - index code 743803). No cost to City.
- f. Water easement dated September 9, 1999, from Eastgate Plaza, LTD., a Texas limited partnership, for a tract of land in the Sharon Ryan Addition. (Project 547-840, index code 188425) No cost to City.

RECOMMENDED ACTION: Accept the documents.

22. Petitions for Public Improvements:

- a. Water distribution system to serve the west half of Lot 61, Valley Acres Addition – south of 10th Street, west of Custer. (District VI)

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- b. Construct a sanitary sewer to serve part of Lot 1, Block 2, Kessler-Koch Addition – north of 31st Street South, east of West Street. (District IV)
- c. Construct a left-turn lane at Meridian - north of 42nd Street North. (District VI)
- d. Construct a storm water drain to serve Plaza Central Office Park – south of Central, east of Greenwich. (District II)

RECOMMENDED ACTION: Approve the Petitions; and adopt the Resolutions.

23. Minutes of Advisory Boards/Commissions:

Board of Code Standards and Appeals, 9-8-99
Board of Park Commissioners, 9-13-99
CPO Northeast Council 1, 9-27-99
CPO East Council 2, 9-27-99
CPO Southeast Council 3, 9-9-99
CPO Southeast Council 3, 9-23-99
CPO Southwest Council 4, 9-23-99
CPO Northwest Council 5, 9-29-99
CPO North Central Council 6, 9-29-99
Commission on the Status of People with Disabilities, 8-25-99
Metropolitan Area Planning Commission (MAPC), 7-15-99
Metropolitan Area Planning Commission (MAPC), 7-22-99
Wichita Employees' Retirement System, 8-25-99
Wichita Historic Preservation, 7-12-99
Wichita Public Library, 9-21-99
Wichita-Sedgwick County Alcohol and Drug Abuse Advisory Board (ADAS), 10-28-99

RECOMMENDED ACTION: Receive and file.

24. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

25. Agreements/Contracts:

- a. Design services for water distribution system - Lincoln to Kellogg, Hillside to Edgemoor. (District II)
- b. Design services for 21st Street from 119th Street West to Maize Road. (District V)
- c. Design services for Ridge Port North Addition – south of 37th Street, east of Ridge. (District V)
- d. Design services for water distribution system – Pawnee to Harry, McLean to Washington. (Districts I, III, and IV)

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- e. Design services for water distribution system – 13th Street to 21st Street, Hydraulic to Hillside. (District I)
- f. Supplemental Design service – Maple, Maize to 135th Street West. (District V)
- g. Joint funding with United States Department of Interior, Geological Survey. (U.S.G.S.)
- h. Easement encroachment – 3909 West Bounous Street. (District IV)
- i. Easement encroachment – 2722 North Stoney Point. (District V)
- j. Basin Four sanitary sewer extension and service study. (District V)
- k. Lawrence-Dumont Stadium – various repairs and modifications. (District IV)
- l. Evaluation of the City Treatment-Based Drug Court.

RECOMMENDED ACTION: Approve the Agreements/Contracts; and authorize the necessary signatures.

26. Change Orders:

- a. Kellogg/West Street interchange landscaping. (District IV)
- b. I-235/Zoo Boulevard interchange improvement. (District VI)
- c. Murdock improvement – Waco to Wabash. (District VI)
- d. Parkridge and Blake street paving in Hunters Ridge Addition. (District V)

RECOMMENDED ACTION: Approve the change orders; and authorize the necessary signatures.

27. Purchase of Equipment – Public Works/Fleet and Buildings Division.

RECOMMENDED ACTION: Approve the purchase.

28. Sewer Maintenance Building Improvements.

RECOMMENDED ACTION: Approve the project; adopt the Resolution; and authorize publication of Notice of Intent.

29. Approval of Water/Sewer Billing System Funding.

RECOMMENDED ACTION: Approve modification of C.I.P.; adopt the Resolution; and authorize publication of Notice of Intent.

30. Acquisition of Land Adjacent Sewage Treatment Plant #2.

RECOMMENDED ACTION: Approve modification of C.I.P.; adopt the Resolution; and authorize publication of Notice of Intent.

31. Acquisition by Eminent Domain for the East Kellogg Improvement Project - 8030 East Kellogg. (District II)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

32. Acquisition of 20 Drury for the East Kellogg Improvement Project. (District II)

RECOMMENDED ACTION: Approve the budgets and Contracts; and authorize the necessary signatures.

33. Transfer of Railroad Property from Union Pacific Railroad.

RECOMMENDED ACTION: Accept donation; and authorize the necessary signatures.

34. Budget Adjustments:

- a. Snow and Ice Budget Adjustment.
- b. Section 8 Budget Changes.
- c. Budget Adjustment - Water Distribution.

RECOMMENDED ACTION: Approve the budget adjustments.

35. Approve Education Program to Reduce Grease in Sanitary Sewer System.

RECOMMENDED ACTION: Approve the public education program and authorize funding.

36. Installation of Casing Pipe on Existing 16-Inch Water Main in Greenwich at K-96.

RECOMMENDED ACTION: Approve the project expenditure.

37. Emergency Cleanup - 13th and Perry Water Main.

RECOMMENDED ACTION: Approve the expenditure.

38. Rehabilitation of Willet Pumps at Sewage Treatment Plant.

RECOMMENDED ACTION: Authorize initiation of the project.

39. Second Reading Ordinances: (First read September 28, 1999)

a. Employee position classifications.

An Ordinance authorizing establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges.

b. Employee uniform schedule of standard pay ranges.

An Ordinance providing for a uniform schedule of standard pay ranges for all employees of the City of Wichita, repealing Ordinance No. 44-120.

RECOMMENDED ACTION: Adopt the Ordinances.

40. First Reading Ordinance.

a. Sidewalk repair.

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

*41. D 1768-Dedication of Access Control Located on the East Side of Webb Road, South of 29th Street North.
(District II)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Accept the dedication.

*42. D 1770 - Dedication of Utility Easement Located on the North Side of Maple Street, West of Maize Road.
(District V)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Accept the dedication.

*43. S/D 97-82 Plat of Westgate Village 2nd Addition Located on the Northwest Corner of 13th Street North and Maize Road. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolution; and authorize the necessary signatures.

*44. Street Improvement Agreement for L/S 1019 Located South of 10th Street, East of Sheridan. (District VI)

Staff Recommendation: Approve the agreement.

RECOMMENDED ACTION: Approve the agreement; and authorize the necessary signatures.

45. Z 3333 - Zone Change from "SF-6" Single-Family and "LC" Limited Commercial to "GC" General Commercial; and DP 246 - The Creation of the Oakwood Homes Community Unit Plan, Located South of MacArthur and East of Broadway. (District IV)

MAPC Recommendation: Approve, subject to Platting within one year and conditions.

CPO Recommendation: Approve, subject to MAPD Staff comments.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR
2. Return the application to the MAPC for reconsideration.

- *46. Z 3334 - Zone Change from "B" Multi-Family to "GC" General Commercial; and DP 132 - Number One Amendment to the Via Christi - St. Francis Regional Medical Center Commercial C.U.P. Located on the Northeast Corner of Murdock and Topeka. (District VI)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to MAPD Staff comments.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the Via Christi - St. Francis Regional Medical Center Commercial C.U.P. and the zone change, subject to conditions, and subject to the condition of Platting within one year; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR

2. Return the application to the MAPC for reconsideration.

- *47. Z 3335 - Zone Change from "SF-6" Single-Family Residential; to "GO" General Office, and CU 540 - Request for a "Conditional Use" For Personal Care Service, Located on the Northeast Corner of Harry and Christine. (District III)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to MAPD Staff comments.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the "Conditional Use" and the zone change, subject to conditions; place the Ordinance establishing the zone change on first reading; OR

2. Return the application to the MAPC for reconsideration.

48. DR 6 - Amendment of Guidelines for Revolving Loan Program for Historic Properties including establishing a Deferred Historic Loan Program.

HPB Recommendation: Approve amended guidelines for Historic Revolving Loan Program.

Staff Recommendation: Approve amended guidelines for Historic Revolving Loan Program.

RECOMMENDED ACTION: 1. Concur with the recommendation of the Historic Preservation Board and approve the Amended Revolving Loan Program for Historic Properties and the Deferred Historic Loan Program; OR
2. Refer the guidelines back to the HPB for further study.

49. A 99-19 - Adoption of a Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties Generally Located North and South of Kellogg and East and West of 143rd Street East to the City of Wichita, Kansas. (District II)

RECOMMENDED ACTION: Accept the service extension plan; and adopt the Resolution.

*50. A 99-32 - Request the Annexation of Property Generally Located on the Southeast Corner of 119th Street West and 29th Street North to the City of Wichita, Kansas. (District V)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

Adjournment
